IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 15377 of 1999

Between:

1. Tribal Labour Contract Co.op.Society Ltd., Upparagudem, H/o.Sarvaram (V), Kothagudem (Mandal), Khammam District., rep. By Bhukya Ratna S/o.Ramulu, aged 26 years, President;

2. Tribal Labour Contract Co.op.Society Ltd., Koyagtudem, H/o.Sarvaram, Kothagudem (M) rep. By President M.Harilal S/o.Jayaram, aged 40 years;

3. Tribal Labour Contract Co.op. Society Ltd., Yerrakunta (v), Chandrugonda (M), Khammam District, rep. By PaddamPotappa;

4. Hasan Waddera Labour Contract Co.op.Society, Kothagudem (V&M), rep. By President K.Venkateswarlu S/o.Guravaiah, aged 45 years.

....PETITIONERS

AND

1. Govt. of A.P.Panchayat Raj & Rural Development (PROGS-II) Department, rep. By Secretary to Government, Secretariat,Hyderabad.

2. The Superintending Engineer (Panchayat Raj Circle), Khammam.

3. The Executive Engineer (Panchayat Raj) Circle, Kothagudem, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue writ or direction preferably writ of mandamus declaring the impugned tender Notice No.HD/8/99-2000 dt.10.7.99issued by the 2nd respondent by way of package

system is illegal, arbitrary, and discriminatory, and violative of principles of natural justice and also violative of Art.19(1)(g) of Constitution of India and consequently direct the respondents to notify the works itemwise independently without clubbing number of works.

For the Petitioners:MR.KOWTURU VINAYA KUMAR,Advocate.

For the Respondents: Govt. Pleader for Panchayat Raj.

The Court made the following :

ORDER

Pursuant to the judgment of this court dt. 10-3-98 in WP No.12975/96 and batch, reported in SRI JANAKIRAMA VADDARA LABOUR CONTRACT CO-OPERATIVE SOCIETY V. EXECUTIVE ENGINEER (1998(3) ALT 808 DB), the Government issued G.O.Ms.No.52 Transport, Roads & Buildings (B.I-1) dt. 18-3-2000 granting certain concessions to the Labour Contract Co-operative Societies of Scheduled Castes and Scheduled Tribes with regard to deposit of EMD amount at the time of filing tenders. In view of the same, no cause survives for adjudication.

The writ petition is accordingly dismissed. No costs.

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07-07-2004

cs/kmr

To

1.The Secretary to Govt., Govt. of A.P., Panchayat Raj & Rural

Development (PROGS-II) Dept., Secretariat, Hyderabad.

2.The Superintending Engineer (Panchayat Raj Circle), Khammam.

3.The Executive Engineer (Panchayat Raj Circle), Kothagudem,

Khammam.

4.2 CCs to the Government Pleader for Panchayat Raj, High Court

Buildings, Hyderabad (O.U.T.).

5.2CD copies.